



REMARKS

The amendments to Claims 1-10 clear up a perceived ambiguity. The amendments to Claims 12,13,16,17 and 18 correct typographical errors.

The rejections of claims 1, 2, 4-6 and 11 under 35 U.S.C. 112, second paragraph are believed addressed and overcome by the present amendments.

Claims 1, 5, 8, and 11 stand rejected under 35 U.S.C. 102(a) as anticipated by Bayer WO 99/07782 or Bayer's WO 00/31173.

As presently amended, the restricted scope of the recited R¹ and R² the claims are believed to avoid the cited documents and address and overcome the rejection under section 102.

The presently submitted terminal disclaimer is believed to address and overcome the obviousness type double patenting set forth in the Action.

Believing the above represent a complete response to the Office Action and that the application is in condition for allowance, Applicants request the earliest issuance of an indication to this effect.

Respectfully submitted,

By

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